APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,719	04/11/2001	Robert Leslie Van Oostenbrugge	PHNL 000183	9755

24737	7590	03/24/2006

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ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 03/24/2006

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MAR 2 4 2006

Technology Center 2100

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/832,719
Filing Date: April 11, 2001
Appellant(s): VAN OOSTENBRUGGE ET AL.

James D. Leimbach (Reg. No. 34,374)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 1-3-2006 appealing from the Office action

mailed 7-25-2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,784,900	Dobronsky et al.	8-2004
5,778,187	Monteiro et al.	7-1998

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 9-11, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by

Dobronsky et al., Patent #6,784,900, hereinafter Dobronsky.

7.   With regard to claim 9, which teaches method of generating a command to an

apparatus, the apparatus having a presentation means for presenting a graphical user

interface within which information is displayed and skin means for applying a skin

displaying an artistic background to the graphical user interface so as to influence the

look of the graphical user interface, Dobronsky teaches, in column 3, lines 49-59, a

means by which a plug-in cooperates with a browser to effect a change in the

appearance of the browser, specifically the skin displayed, where this displayed skin is

a motif of specific graphical depictions displayed as a background of a toolbar (further

see column 5, lines 55-67 and figure 5). With regard to claim 9, further teaching that the

command comprises a skin change command remotely transmitted to the apparatus for

changing a currently applied skin in response to a parameter related to displayed

information, Dobronsky further teaches, in column 5, lines 33-41, the change in skin

being affected by the user selecting a skin for download and installing it in the toolbar

area of the browser, and further teaches in column 5, lines 55-67 and in column 8, lines

9-23, a service website providing a command to display a skin in a toolbar of a web

surfers browser, the graphical information of the skin being downloaded (from the

remote site) to change the skin in response to the current website navigated to by the

web surfer.

8.   With respect to claim 10, which teaches an apparatus comprising storage means

for storing a plurality of skins, Dobronsky teaches, in column 4, lines 26-43, the

downloading and storing of specific skins. With regard to claim 10, further teaching the

skin change command including an identification of a respective one of the plurality of

skins, and the skin being adapted to apply said respective skin to the graphical user

interface in response to a skin change command, Dobronsky teaches, in column 5, lines

33-41, the selection of a skin from a plurality of skins resulting in the installation of the

skin to a toolbar area of the browser.

9.   With regard to claim 11, which teaches the skin change command including a

further skin, in which the skin means is adapted to apply said further skin to the

graphical user interface, Dobronsky teaches, in column 5, lines 55-67, the website

providing a skin change command, to install in a clients browser, a unique site specific

skin.

10.   With regard to claim 19, which teaches the artistic background defining the skin

comprising at least on of background shape, a background color, or arrangement of

controls specific to the individual skin, Dobronsky teaches, in column 5, lines 55-67 and

figure 5, an artistic background displaying a depiction of a cow, as a skin of the toolbar.

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

12.   Claims 1-8, 12-18, and 20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Dobronsky et al., Patent #6,784,900, hereinafter Dobronsky and

Monteiro et al., Patent # 5,778,187, hereinafter Monteiro.

13.   With respect to claim 1, Dobronsky teaches, in column 3, lines 49-59, a means

by which a plug-in cooperates with a browser to effect a change in the appearance of

the browser, specifically the skin displayed, where this displayed skin is motif of specific

graphical depictions displayed as a background of a toolbar (further see column 5, lines

55-67 and figure 5). Dobronsky further teaches, in column 5, lines 55-67 and in column

6, lines 34-41, the change in skin being affected by the users surfing to a site that has a

defined skin. Dobronsky teaches, in column 5, lines 55-67 and in column 8, lines 9-23,

a service website providing a command to display a skin in a toolbar of a web surfers

browser, the graphical information of the skin being downloaded (from the remote site)

to change the skin in response to the current website navigated to by the web surfer

(context), which itself points to an initiating of the skin change responsive to a users

surfing habits, however, Dobronsky doesn't explicitly state that this skin change is

generated in response to an event not originating from a user request to change the

currently applied skin. Monteiro teaches a system in which the appearance of a

browser window (graphical information such as graphic, text, etc) is changed based on

current context, see column 4, lines 9-19 and in column 17, lines 20-31, similar to that of

Dobronsky, but further teaches, in column 17, lines 20-31 and column 7, lines 48-59,

that the user interface is changed in response to a different song being played. It would

have been obvious to one of ordinary skill in the art, having the teachings of Dobronsky

and Monteiro before him at the time the invention was made to modify the website

specific skins of Dobronsky to be adapted to change the skin (graphical information)

based on an event not originating form a user request to change skin. One would have

been motivated to make such a combination because Dobronsky, as it stands, initiates

the skin change process based on a user surfing to a website. Monteiro's graphical

information change is included because it more clearly states the graphical information

change being independent of any request to change graphical information.

14.   With respect to claim 2, which teaches an apparatus receiving information from a

remote server and the event comprising the reception of a skin change command from

the remote server, Dobronsky teaches, in column 2, lines 51-63, a browser receiving

information via communication with the internet where the information transmitted is a skin change command.

15.   With respect to claim 3, which teaches an apparatus comprising storage means for storing a plurality of skins, Dobronsky teaches, in column 4, lines 26-43, the downloading and storing of specific skins. With regard to claim 3, further teaching the skin change command including an identification of a respective one of the plurality of skins, and the skin being adapted to apply said respective skin to the graphical user interface in response to a skin change command, Dobronsky teaches, in column 5, lines 33-41, the selection of a skin from a plurality of skins resulting in the installation of the skin to a toolbar area of the browser.

16.   With regard to claim 4, which teaches the skin change command including a further skin, in which the skin means is adapted to apply said further skin to the graphical user interface, Dobronsky teaches, in column 5, lines 55-67, the website providing a skin change command, to install in a clients browser, a unique site specific skin.

17.   With regard to claims 5 and 14, which teach presentation means capable of presenting further information, and that the event comprises a change in a parameter of said further information, Dobronsky teaches, in column 5, lines 55-67, that a change in displayed skin is affected by further information (a change in the web site being visited).

18.   With regard to claims 6 and 15, which teach information comprising audio and/or video content, Monteiro teaches, in column 2, lines 8-11 and column 17, lines 20-31, the information being audio and/or video content. With respect to claims 6 and 15, further

teaching a parameter representing a category of said content, Monteiro teaches, in

column 17, lines 20-31, that if the user changes music type or there is a change in the

artist the interface window will adapt.

19.   With regard to claims 7 and 16, which teach that the apparatus further comprised

user profile means for maintaining a user profile, and an event comprising a change in a

user profile, Monteiro teaches, in column 2, lines 17-26 and column 8, lines 12-15, that

portions of information can be tailored to the client, when the clients habits change the

environment adapts around the client.

20.   With regard to claims 8 and 17, which teach the above claims being implemented

in a computer program, with a computing device, Dobronsky teaches, in column 1, lines

11-21, the system being implemented on a computer utilizing computer programs.

21.   With regard to claim 12, Dobronsky teaches, in column 5, lines 55-67 and in

column 8, lines 9-23, a service website providing a command to display a skin in a

toolbar of a web surfers browser, the graphical information of the skin being

downloaded (from the remote site) to change the skin in response to the current website

navigated to by the web surfer (context), and using the skin as an advertising tool (see

column 5, lines 55-67), however, doesn't explicitly state the information comprising

audio and/or video content. Monteiro teaches a system in which the appearance of a

browser window (graphic, text, etc) is changed based on current context, see column 4,

lines 9-19 and in column 17, lines 20-31, similar to that of Dobronsky, but further

teaches, in column 2, lines 8-11 and column 17, lines 20-31, the information being audio

and/or video content. It would have been obvious to one of ordinary skill in the art,

having the teachings of Dobronsky and Monteiro before him at the time the invention

was made to modify the website specific skins of Dobronsky to be adapted for use in

distributing video content and sound data, as did Monteiro. One would have been

motivated to make such a combination because Dobronsky, as it stands, initiates the

skin change process based on a user surfing to a website, while Monteiro's teaches a

similar graphical data change based on a current song being played.

22.   With regard to claim 13, Dobronsky teaches, in column 3, lines 49-59, a means

by which a plug-in cooperates with a browser to effect a change in the appearance of

the browser, specifically the skin displayed, where this displayed skin is motif of specific

graphical depictions displayed as a background of a toolbar (further see column 5, lines

55-67 and figure 5). Dobronsky further teaches, in column 5, lines 55-67 and in column

6, lines 34-41, the change in skin being affected by the users surfing to a site that has a

defined skin. Dobronsky teaches, in column 5, lines 55-67 and in column 8, lines 9-23,

a service website providing a command to display a skin in a toolbar of a web surfers

browser, the graphical information of the skin being downloaded (from the remote site)

to change the skin in response to the current website navigated to by the web surfer

(context), which itself points to an initiating of the skin change responsive to a users

surfing habits, however, Dobronsky doesn't explicitly state that this skin change is

generated in response to an event not originating from a user request to change the

currently applied skin. Monteiro teaches a system in which the appearance of a

browser window (graphical information such as graphic, text, etc) is changed based on

current context, see column 4, lines 9-19 and in column 17, lines 20-31, similar to that of

Dobronsky, but further teaches, in column 17, lines 20-31 and column 7, lines 48-59,

that the user interface is changed in response to a different song being played. It would

have been obvious to one of ordinary skill in the art, having the teachings of Dobronsky

and Monteiro before him at the time the invention was made to modify the website

specific skins of Dobronsky to be adapted to change the skin (graphical information)

based on an event not originating form a user request to change skin. One would have

been motivated to make such a combination because Dobronsky, as it stands, initiates

the skin change process based on a user surfing to a website. Monteiro's graphical

information change is included because it more clearly states the graphical information

change being independent of any request to change graphical information.

23.   With regard to claim 18, which teaches the artistic background defining the skin

comprising at least on of background shape, a background color, or arrangement of

controls specific to the individual skin, Dobronsky teaches, in column 5, lines 55-67 and

figure 5, an artistic background displaying a depiction of a cow, as a skin of the toolbar.

24.   With regard to claim 20, Dobronsky teaches, in column 5, lines 55-67 and in

column 8, lines 9-23, a service website providing a command to display a skin in a

toolbar of a web surfers browser, the graphical information of the skin being

downloaded (from the remote site) to change the skin in response to the current website

navigated to by the web surfer (context), and using the skin as an advertising tool (see

column 5, lines 55-67), however, doesn't explicitly state that this skin change is

generated in response to an event not originating from a user request to change the

currently applied skin (specifically selection of skins based on a user profile. Monteiro

teaches a system in which the appearance of a browser window (graphic, text, etc) is

changed based on current context, see column 4, lines 9-19 and in column 17, lines 20-

31, similar to that of Dobronsky, but further teaches, in column 17, lines 20-31 and

column 7, lines 48-59, that the user interface is changed in response to a different song

being played, and in column 2, lines 17-26 and column 8, lines 12-15, that portions of

information can be tailored to the client, when the clients habits change the environment

adapts around the client. This is further pointed out by the user receiving

advertisements that are specific to their demographic group. It would have been

obvious to one of ordinary skill in the art, having the teachings of Dobronsky and

Monteiro before him at the time the invention was made to modify the website specific

skins of Dobronsky to be adapted change the skin (graphical information) based on a

clients profile. One would have been motivated to make such a combination because

Dobronsky, as it stands, initiates the skin change process base on a user surfing to a

website. One would have been motivated to make such a combination because they

both teach the providing of advertising information based on a clients actions.

Furthermore because Dobronsky, as it stands, initiates the skin change process base

on a user surfing to a website (this being itself not a command to change the skin).

(10) Response to Argument

Claims 9-11 and 19:

With respect to the arguments directed at the group of claims including Claims 9-11 and 19 the Appellant's arguments are focused on the limitations regarding "changing a currently applied skin in response to a parameter related to displayed information". More specifically, as stated from representative Claim 9, the limitation argued is:

> *"... the command comprises a skin change command remotely transmitted*
>
> *to the apparatus for changing a currently applied skin in response to a*
>
> *parameter related to displayed information."*

Since the interpretation of the limitation is the basis for the arguments, the Examiner's interpretation is now given. The claim, as interpreted by the examiner, pertains to a graphical user interface (GUI) which upon receipt of a command, that is related to the displayed information, displays an alternate user interface. A "skin" as claimed is an alternative user interface. As stated in the eighth paragraph of MPEP 2101[R2].II.C.,

> *"Office personnel are to give claims their broadest reasonable*
>
> *interpretation in light of the supporting disclosure. In re Morris, 127 F.3d*
>
> *1048, 1054-55, 44 USPQ2d 1023,1027-28 (Fed. Cir. 1997)."*

Based on the interpretation of the claim limitations being argued, the Examiner will now explain how the teachings of the Dobronsky reference is within the scope of these limitations.

Dobronsky teaches, in column 3, lines 49-59, a means by which a plug-in cooperates with a browser to effect a change in the appearance of the browser, specifically the skin displayed, where this displayed skin is a motif of specific graphical depictions displayed as a background of a toolbar (further see column 5, lines 55-67 and figure 5). Dobronsky further teaches, in column 5, lines 33-41, the change in skin being affected by the user selecting a skin for download and installing it in the toolbar area of the browser, and further teaches in column 5, lines 55-67, in column 6, lines 38-41, and in column 8, lines 9-23, a service website providing a command to display a skin in a toolbar of a web surfers browser, the graphical information of the skin being downloaded (from the remote site) to change the skin in response to the current website navigated to by the web surfer.

The examiner will now address the individual arguments and statements made by Appellant.

From page 7 of the Appeal Brief, from the first paragraph, the Appellant argues that Dobronsky "does not make any disclosure or suggestion for a response to occur to the current website that is being navigated by the web server as alleged by the examiner".

The examiner respectfully contends that this is an alternate embodiment of Dobronsky relied upon to show the "dynamic uploading" of a skin over a browser. Dobronsky shows in column 6, lines 38-41, where he teaches dynamically updating the currently applied skin according to further information obtained from a web site that is currently being accessed by a web surfer.

From page 7 of the Appeal Brief, from the second paragraph, the Appellant argues that "the rejection does not address the subject matter for 'changing a currently applied skin in response to a parameter related to displayed information'".

The examiner respectfully contends that Dobronsky teaches in column 8, lines 17-23, "dynamic uploading" of a skin and in column 6, lines 38-41, dynamically updating the currently applied skin according to "further information" obtained from a web site that is currently being accessed by a web surfer. Here, the skin is updated in response to this further information (parameter), related to the website (displayed information).

From page 7 of the Appeal Brief, from the fourth paragraph, the Appellant argues that "Dobronsky et al. do not disclose or suggest a skin change command that is remotely transmitted to the apparatus for changing a currently applied skin is response to a parameter related to displayed information."

The examiner respectfully contends Dobronsky teaches, in column 5, lines 55-67, in column 6, lines 38-41, and in column 8, lines 9-23, a service website providing a

command to display a skin in a toolbar of a web surfers browser, the graphical

information of the skin being downloaded (from the remote site) to change the skin in

response to the current website navigated to by the web surfer. This claim does not

state that this "command" is an initiating command, just a command that causes the

skin to be updated, leaving it open that a user could initiate a download and the

download is then provided (command) from a remote site, though even if interpreted to

be an skin change initiating command Dobronsky provides for the cause of the skin

change to be initiated by the currently navigated to website (see column 6, lines 38-41

and column 8, lines 9-23).

From page 8 of the Appeal Brief, from the third paragraph, the Appellant

argues that "Dobraonsky et al. do not disclose or suggest a skin change

command for changing a currently applied skin in response to a parameter

related to displayed information with a skin defining an artistic background,

wherein the artistic background defining the skin comprises at least one of a

background shape, a background color or an arrangement of controls specific to

the individual skin."

The examiner respectfully contends that Dobronsky teaches, in column 5, lines

55-67 and figure 5, an artistic background displaying a depiction of a cow, as a skin of

the toolbar. Even if this were a back and white image both black and white are colors,

and a cow is composed of numerous shapes.

With respect to claims 10, 11, and 19, the Appellant argues that the claims should be allowable for the same reason as the claim from which they depend.

The examiner respectfully contends that the rejection as set forth above holds here as well.

Claims 1-8, 12-18, and 20-22:

With respect to the arguments directed at the group of claims including Claims 1-8, 12-18, and 20-22 the Appellant's arguments are focused on the limitations regarding a "skin change is generated in response to a event not originating from a user request to change the currently applied skin". More specifically, as stated from representative Claim 1, the limitation argued is:

"... the skin means are adapted to change a currently applied skin in

response to an event not originating from a user request to change the

currently applied skin."

Since the interpretation of the limitation is the basis for the arguments, the Examiner's interpretation is now given. The claim, as interpreted by the examiner, pertains to a graphical user interface (GUI) which upon receipt of an event, that is not the user explicitly commanding the user interface be changed, displays an alternate user interface. A "skin" as claimed is an alternative user interface. As stated in the eighth paragraph of MPEP 2101[R2].II.C.,

"*Office personnel are to give claims their broadest reasonable*

interpretation in light of the supporting disclosure. In re Morris, 127 F.3d

1048, 1054-55, 44 USPQ2d 1023,1027-28 (Fed. Cir. 1997)."

Based on the interpretation of the claim limitations being argued, the

Examiner will now explain how the teachings of the Dobronsky and Monteiro

references are within the scope of these limitations.

Dobronsky teaches, in column 3, lines 49-59, a means by which a plug-in

cooperates with a browser to effect a change in the appearance of the browser,

specifically the skin displayed, where this displayed skin is motif of specific

graphical depictions displayed as a background of a toolbar (further see column

5, lines 55-67 and figure 5). Dobronsky further teaches, in column 5, lines 55-67

and in column 6, lines 34-41, the change in skin being affected by the users

surfing to a site that has a defined skin. Dobronsky teaches, in column 5, lines

55-67, in column 6, lines 38-41, and in column 8, lines 9-23, a service website

providing a command to display a skin in a toolbar of a web surfers browser, the

graphical information of the skin being downloaded (from the remote site) to

change the skin in response to the current website navigated to by the web surfer

(context), which itself points to an initiating of the skin change responsive to a

users surfing habits, however, Dobronsky doesn't explicitly state that this skin

change is generated in response to an event not originating from a user request

to change the currently applied skin. Monteiro teaches a system in which the

appearance of a browser window (graphical information such as graphic, text,

etc) is changed based on current context, see column 4, lines 9-19 and in column

17, lines 20-31, similar to that of Dobronsky, but further teaches, in column 17,

lines 20-31 and column 7, lines 48-59, that the user interface is changed in

response to a different song being played.

The examiner will now address the individual arguments and statements

made by Appellant.

From page 9 of the Appeal Brief, from the fourth paragraph, the Appellant

argues that the "proposed modification would render the prior art invention being

modified unsatisfactory for its intended purpose, then there is no suggestion of

motivation to make the proposed modification".

The examiner respectfully contends that modifying Dobronsky to have the

initiation of the skin change command being responsive to a non-user-supplied

command, as did Monteiro, would be analogous to the Dobronsky's causing of the skin

change initiated by the currently navigated to website (see column 6, lines 38-41 and

column 8, lines 9-23). Monteiro teaches that "graphic, text, or any other type of

information that can be delivered over a digital network", other multimedia, and tabs can

be modified to reflect a song currently being played (see column 4, lines 9-18 and

column 17, lines 4-31). Monteiro clearly provides for a modification of the user interface

(skin), in response to a song being played (event not originating from a user request to change the currently applied skin). Monteiro and Dobronsky are further analogous because they both modify a graphical output to a screen based on some other displayed content (website being visited / song being played).

From page 11 of the Appeal Brief, from the second and third paragraph, the Appellant argues that neither Dobronsky et al. or Monteiro et al. teach that the skin change is generated in response to an event not originating from a user request to change the currently applied skin.

The examiner respectfully contends that Dobronsky teaches, in column 5, lines 55-67, in column 6, lines 38-41, and in column 8, lines 9-23, a service website providing a command to display a skin in a toolbar of a web surfers browser, the graphical information of the skin being downloaded (from the remote site) to change the skin in response to the current website navigated to by the web surfer (context), which itself points to an initiating of the skin change responsive to a users surfing habits, however, Dobronsky admittedly doesn't explicitly state that this skin change is generated in response to an event not originating from a user request to change the currently applied skin. Monteiro teaches a system in which the appearance of a browser window (graphical information such as graphic, text, etc) is changed based on current context, see column 4, lines 9-19 and in column 17, lines 20-31, similar to that of Dobronsky, but further teaches, in column 17, lines 20-31 and column 7, lines 48-59, that the

user interface is changed in response to a different song being played, which is

clearly not a user initiated command to change a skin.

From page 11 of the Appeal Brief, from the third paragraph, the Appellant

argues that "there is no disclosure or suggestion within Monteiro et al. for subject

matter related to changing the skin to a graphical user interface."

The examiner respectfully contends that Monteiro teaches that the graphic, text,

other multimedia, tabs, "or any other type of information that can be delivered over a

digital network" (such as the delivered skins of Dobronsky) can be modified to reflect a

song currently being played (see column 4, lines 9-18 and column 17, lines 4-31).

Monteiro clearly provides for a modification of the user interface (skin), in response to a

song being played (event not originating from a user request to change the currently

applied skin).

From page 12 of the Appeal Brief, from the second through fourth

paragraphs, the Appellant argues that "Monteiro et al. clearly teach that the

information displayed within the user interface changes and not that the

appearance of the user interface is changed".

The examiner respectfully contends that by definition a skin is "an alternative

graphic interface for an operating system or software program." (Microsoft Computer

Dictionary Fifth Edition) Furthermore, Monteiro teaches that "any other type of

information that can be delivered over a digital network" (such as the delivered skins of

Dobronsky) can be modified to reflect a song currently being played (see column 4,

lines 9-18 and column 17, lines 4-31).

From page 15 of the Appeal Brief, from the third paragraph, the Appellant

argues that Monteiro doesn't teach "maintaining a user profile, wherein the event

includes a change in said user profile".

The examiner respectfully contends that Monteiro teaches, in column 2, lines 17-

26 and column 8, lines 12-15, that portions of information can be tailored to the client,

when the clients' habits change the information being delivered to the user adapts

around the client. This information includes graphic, text, other multimedia, tabs, "or

any other type of information that can be delivered over a digital network" (such as the

delivered skins of Dobronsky) can be modified to reflect a song currently being played

(see column 4, lines 9-18 and column 17, lines 4-31). The user profiling is further

pointed out by the user receiving advertisements that are specific to their demographic

group. Also in Dobronsky, an applied skin will remain as a user visits different websites

(see column 5, lines 55-67).

With respect to claims 2-8, 12, 14-18, and 20-22, the Appellant argues

that the claims should be allowable for the same reason as the claim from which

they depend.

The examiner respectfully contends that the rejection as set forth above holds
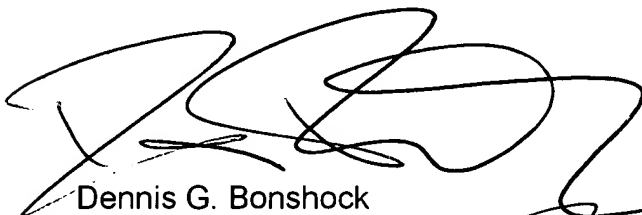
here as well.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Conferees:

Dennis G. Bonshock
March 14, 2005

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